

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANNE A. DUBOIS,

Plaintiff,

-against-

COHEN & SLAMOWITZ, LLP, METRO
PORFOLIOS, INC., J & E PROCESS SERVICES,
INC., and ROBERTO LAGOS,

Defendants.
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ECF Case
Docket Number 07CV7739 (LLS)

PROPOSED RULE 16(b) SCHEDULING ORDER

1. A Rule 16(b) conference has been scheduled in the above-captioned action before the Hon. Louis L. Stanton for February 1, 2008. The following people will be in attendance for the parties: Carolyn E. Coffey and Andrew Goldberg for Plaintiff; Michael G. McAuliffe for Defendants Metro Portfolios, Inc. and Cohen and Slamowitz LLP; Richard Imbrogno for Defendant J&E Process Service; and Harris B. Katz for Defendant Roberto Lagos.
2. The issues in this case involve alleged violations of the federal Fair Debt Collection Practices Act and New York General Business Law § 349, negligent and intentional infliction of emotional distress, and negligence as a result of improper service on an underlying case, which resulted in the entry of default judgment and a restraint on Plaintiff's bank account that contained funds exempt from collection.

3. The parties have agreed to the following schedule, pursuant to the September 7, 2007 Order of Judge Stanton:

(a) The Parties shall make initial disclosures by **March 1, 2008**;

(b) The parties shall complete depositions of the following individuals by **June 27, 2008**:

Anne A. DuBois

David Cohen, Cohen & Slamowitz and Metro Portfolios

Charis Ford, Cohen & Slamowitz

Janet Colletti, Cohen & Slamowitz

Lleandre John, Cohen & Slamowitz

Roberto Lagos

Ellen Eakley, J & E Process Services, Inc.

Liz (Last Name Unknown) (bank manager), JP Morgan Chase

Dr. (Name Unknown) (Plaintiff's psychiatrist)

(c) The parties shall complete demands for production of documents by **March 14, 2008** and shall respond to all document demands by **May 19, 2008**;

(d) Plaintiff shall submit expert reports by **June 27, 2008** and depositions of experts shall be completed by **July 31, 2008**;

(e) The parties shall complete all discovery by **August 1, 2008**;

(f) The parties shall notify each other of their intent to file dispositive motions by **August 29, 2008**;

(g) If no dispositive motions are made, Plaintiff shall provide pre-trial order materials to Defendants by **October 3, 2008**;

(h) The parties shall submit their pre-trial order in a form conforming with the Court's instructions by **October 31, 2008**; and

(i) The date for the final pre-trial conference pursuant to Rule 16(d) shall be:

Friday Nov 7, 2008 at 12 noon.

LLS

4. The parties do not request that any limitations to be placed on discovery at this time and agree that there are no discovery issues upon which they could not agree at this time.
5. The only field of expert testimony anticipated at this time is an expert in psychiatry.
6. The parties anticipate a jury trial to last no longer than three days.
7. The parties agree that this Scheduling Order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference or when justice so requires.

Dated: New York, NY
January 31, 2008

Respectfully submitted,

By: Carolyn E Coffey

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Attorneys for Defendant Roberto Lagos

So Ordered:

Louis L. Stanton
The Hon. Louis L. Stanton, U.S.D.J.

2/1/08